



**BOARD OF SUPERVISORS
AGENDA LETTER**

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Flood Control
Department No.: 054
For Agenda Of: August 23, 2016
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Directors, Flood Control and Water Conservation District

FROM: Department Scott D. McGolpin, Public Works Director, 568-3010
Director(s)
Contact Info: Thomas D. Fayram, Deputy Public Works Director, 568-3436

SUBJECT: Lower Mission Creek Flood Control Project, Reach 2A, Second Supervisorial District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to Form: Yes

Recommended Actions:

That the Board of Directors:

- a) Approve plans and specifications for the Lower Mission Creek Flood Control Project, Reach 2A;
- b) Award the construction contract for the Lower Mission Creek Flood Control Project, Reach 2A, in the amount of \$1,986,350 to the lowest responsible bidder Lash Construction, Inc. (a local vendor), subject to the provisions of documents and certifications, as set forth in the plans and specifications applicable to the project and as required by law;
- c) Authorize the Chair to execute the construction contract upon return of the contractor's executed contract documents, and the review and approval of the County Counsel, Auditor-Controller, and Risk Manager or their authorized representatives;
- d) Authorize the Public Works Director or designee to approve changes or additions to the work being performed under the Construction Contract, in an amount not to exceed \$111,817.50 for the Lower Mission Creek Flood Control Project, Reach 2A;
- e) Approve and authorize the Chair to execute the Agreement for Services of Independent Contractor with Filippin Engineering (a local vendor) to provide construction management and inspection

services for the Lower Mission Creek Flood Control Project, Reach 2A for the period of August 23, 2016 through June 30, 2018 in an amount not to exceed \$344,028;

- f) Authorize the Public Works Director or designee to approve amendments to the professional services agreement with Filippin Engineering in an amount not to exceed \$34,402.80; and
- g) Find that pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15162, no substantial changes are proposed, there are no substantial changes in circumstances and no new information of substantial importance has come to light regarding environmental effects of the project or feasibility of mitigation measures and, therefore this action is within the scope of the project covered by the Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Lower Mission Creek Flood Control Project as well as the Findings, and Statement of Overriding Considerations approved and adopted by the Board on May 10, 2011, and therefore, no subsequent environmental document is required. The Findings, Statement of Overriding Considerations, EIS/EIR, and associated information can be found at:
<http://santabarbara.legistar.com/LegislationDetail.aspx?ID=874496&GUID=D14C4C9B-DEDF-48CB-AB30-D52A228FB5A2>

Summary Text:

This item is on the agenda in order to award both the construction contract and the contract administration/inspection contract for Lower Mission Creek Flood Control Project, Reach 2A.

The City of Santa Barbara (City) and the Flood Control District continue to focus on implementation of elements of the Lower Mission Creek Flood Control Project below US 101. Reach 2A of the project is the downstream most portion of the bypass culvert, located from the Union Pacific Railroad (UPRR) tracks to just downstream of Yanonali Street (see Exhibit 1). This phase will tie into Reach 1B, which was completed earlier this year, and represents the final component of the project below the US 101.

On July 21, 2016, the Flood Control District received 3 bids for the Lower Mission Creek Flood Control Project, Reach 2A. Lash Construction, Inc. submitted the lowest responsive bid in the amount of \$1,986,350. The second lowest bid was in the amount of \$2,084,813. The engineer's construction cost estimate was \$2,507,917.50.

This project was bid in accordance with the Public Contract Code, which requires the contract to be awarded to the lowest responsible bidder. The Department analyzed the bids and determined the low bid is responsive and responsible. Public Works recommends awarding this contract to Lash Construction, Inc.

Filippin Engineering was selected to enter into an agreement to provide full-time construction inspection services needed for this phase of the project. Filippin provided similar services on Reaches 1A – Phases 1&2, 1B and 2B - Phase 1 and has thorough insight into this project. Filippin Engineering is also on the Public Works Department's list of pre-qualified firms and is a local vendor.

Background:

The Lower Mission Creek Flood Control Project is a federal, U.S. Army Corps of Engineers project and has been under development since the 1960's. The City and the District, acting as local sponsors for the federal project, worked with the community in the 1990s to develop the current project that addresses the flood control concerns and environmental issues.

In 2001, the City certified the EIR/EIS and approved the project for Lower Mission Creek as did the U.S Army Corps of Engineers subsequent to the City's approval. Since that time, federal funding for construction has not come forward and the City and the Flood Control District have been working on finding opportunities to construct elements of the project as funding options arise. To date, the following project elements have been completed:

Flood Control District Work

Union Pacific Railroad Culvert work
Reach 1A-1
Reach 1A-2
Reach 2B-1
Reach 1B

City Work

Haley – De La Vina Bridge
Ortega Street Bridge
Cota Street Bridge

Fiscal and Facilities Impacts:

Budgeted: Yes

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
South Coast FZ	\$ 2,476,598.30		
State			
Federal			
Fees			
Other:			
Total	\$ 2,476,598.30	\$ -	\$ -

Fiscal Analysis:

Narrative:

This phase of the project was included in the adopted FY 2016-17 budget under the Water Resources Division of the Public Works Department as shown on page D-302 in the budget book. No General Fund monies will be utilized by this project.

This project is also included in the County Capital Improvement Program on page D-148.

Key Contract Risks:

Key risk factors for these agreements are low.

Special Instructions:

Direct the Clerk of the Board to send two copies of the Agreement with Filippin Engineering and a copy of the minute order of this action to the Flood Control District office: Attn: Christina Lopez.

Attachments:

- Attachment A - Plans and Specifications (available on the Clerk of the Board website and hard copy is available at the Clerk of Board office in Santa Barbara)
- Attachment B - Construction Agreement (copy)
- Attachment C - Agreement for Services of Independent Contract w/Filippin Engineering (3 originals) includes contract summary

Authored by:

Matt Griffin, Civil Engineer Specialist, 884-8074

Exhibit A

